

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION**

**Call to Order:** By **CHAIRMAN JOHN BRUEGGEMAN**, on February 19, 2003  
at 10 A.M., in Room 317-B Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. John Brueggeman, Chairman (R)  
Sen. Rick Laible, Vice Chairman (R)  
Sen. Gregory D. Barkus (R)  
Sen. Mike Cooney (D)  
Rep. Monica Lindeen (D)  
Rep. John Sinrud (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Matt Bugni, OBPP  
Greg DeWitt, Legislative Branch  
Christi Moyer, OBPP  
Amy Sassano, OBPP  
Misty Shea, Committee Secretary  
Lynn Zanto, Legislative Branch

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed. The time stamp for these minutes appears at the beginning of the content it refers to.

**Committee Business Summary:**

Hearing & Date Posted: Review of previous business,  
2/19/2003  
Executive Action: none

*{Tape: 1; Side: A; Approx. Time Counter: 0 - 11 Comments: Sen. Laible was initially excused, returned for a portion of the meeting.}*

**CHAIRMAN BRUEGGEMAN** began by stating the intention of today is to have more discussion relating to some agency issues.

**Greg DeWitt, Legislative Fiscal Division**, talked to the committee about what he compiled to help them with their intent. He gathered information from the budgeting system comparing programs by executive budget and where they are to date by decision packages. He stated that base is not included in the data and he explained what is shown on the handouts. They show funding numbers on: Commissioner of Political Practices, General Fund Subcommittee Action, the Legislative Branch, Office of the Governor, and State Auditor's Office.

**EXHIBIT (jgh37a01)**

**EXHIBIT (jgh37a02)**

**EXHIBIT (jgh37a03)**

**EXHIBIT (jgh37a04)**

**EXHIBIT (jgh37a05)**

**SEN. COONEY** wanted to readdress the issue of the West Yellowstone Airport. He asked, "Do we really want it, or to dispose of it?"

**Jim Currie, Department of Transportation**, stated that they own a number of airports, most for general aviation. The one air carrier airport they have is in West Yellowstone. He said, "The airport is important to Yellowstone National Park and the City of West Yellowstone; the real question is, should the State of Montana run it or should an airport authority?" He stated the DOT has explored the option before, and the City of West Yellowstone is not very interested in operating it. He deferred to Debbie Alke to give a history of how the DOT acquired the airport.

**Debbie Alke, State of Montana Department of Transportation, Aeronautics Division**, informed **SEN. COONEY** that the airport was authorized under President Eisenhower's Airport Act of 1950, in which it was mandated that all National Parks have an airport. The airport was built with Federal Aviation Administration money and the property was deeded to the state of Montana. In that deed there are restrictions that the property will remain a public-use airport. If we cease to use the land for this it will revert back to the federal government. **Ms. Alke** talked of federal obligations, and she also spoke of the disinterest of the West Yellowstone community to operate the airport, as the DOT meets annually with them.

She talked about Skywest Airlines operation, the seasonal market, proprietary funding, and the Aeronautics Commission established in 1945 that became part of the DOT in 1991. She said the DOT has 15 airports with an annual budget of \$20,000, and three border strips, which she explained.

***{Tape: 1; Side: A; Approx. Time Counter: 11 - 17}***

**SEN. COONEY** thanked Ms. Alke and asked her to speak further on the West Yellowstone community, as it seems to him that they should run their airport as they are a productive community. **Ms. Alke** responded that, even as the players change in local government, year after year the message is that they want and support the airport but do not want control.

**REP. SINRUD** spoke, as West Yellowstone is in his district. He said that he has never discussed the airport with the townspeople, but he believes they have many other problems to solve and responsibilities to handle. He thinks the state government should take care of it as mandated. **SEN. COONEY** made certain **REP. SINRUD** did not think he wanted to close the airport, and he stated perhaps by next legislature, doing something different could be proposed if the community had some incentive.

**Jim Currie** expressed that the Aeronautics Board would be happy to carry the message from the committee to their next meeting in West Yellowstone.

***{Tape: 1; Side: A; Approx. Time Counter: 17 - 25}***

**Mr. Currie, Mr. DeWitt,** and committee members made final comments with respect to the issue being discussed. **SEN. BARKUS** agreed with **SEN. COONEY's** future suggestion. **REP. SINRUD** said he would speak to the city council.

***{Tape: 1; Side: A; Approx. Time Counter: 25 - 30}***

**SEN. COONEY** asked Steve Bender, DOA Deputy Director, to respond to the thought of moving the Consumer Protection Office out of the DOA to the Department of Justice. **Mr. Bender** outlined the obtaining of the program by transfer from the Department of Commerce last session, how far they have come with it, and issues pending.

***{Tape: 1; Side: B; Approx. Time Counter: 1 - 9}***

**SEN. COONEY** and **Mr. Bender** continued their discussion. **CHAIRMAN BRUEGGEMAN** added commentary on what the committee could possibly do, and **REP. SINRUD** suggested talking to the Department of Justice.

**SEN. COONEY** initiated discussing further the Surplus Property Program within DOA. He questioned the amount of money spent on the program and if there is a better way. **Marvin Eicholtz, General Services Division Administrator**, said that there are problems with the program right now due to the condition of what's going on in state government, but they are working to break even by year end. He stated that elimination of the program would create other problems, and that having it helps in accountability so surplus isn't taken home.

*{Tape: 1; Side: B; Approx. Time Counter: 9 - 16}*

**SEN. COONEY** said he agrees with having a centralized program, and he made suggestions as to how the division might handle the agency's surplus property. **Mr. Eicholtz** replied that, as a general rule of control and efficiency, what they are doing with the items such as auctioning them is sensible. **SEN. BARKUS** agreed with this. **SEN. COONEY** stated that he just did not want to see the agency continue to lose money. **Mr. Eicholtz** assured him that surplus seldom runs at a loss.

*{Tape: 1; Side: B; Approx. Time Counter: 16 - 20}*

**SEN. COONEY** asked Annie Goodwin, of the Banking and Financial Services Division, why they are in DOA instead of being attached to the State Auditor's Office. **Ms. Goodwin** answered that the idea of moving the division has been explored before and it was voted against, which she explained as being in part because the securities and insurance industries are very technical ones.

*{Tape: 1; Side: B; Approx. Time Counter: 20 - 30}*

**SEN. COONEY** asked Lynn Chenoweth, of the Department of Revenue, to educate him on the issue of bailment. **Mr. Chenoweth** explained how the issue has come up several times and they have proposed legislation on the timing of payments. Whenever they do this it is realized that with the privatization of liquor stores in 1995 there was a promissory made that a 60-day payment cycle would stay intact. The committee then discussed possible action they could take to change this, as it would save approximately \$600,000 over the biennium. They decided to draft a bill to change the statute.

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT AND  
TRANSPORTATION

February 19, 2003

PAGE 5 of 5

**ADJOURNMENT**

Adjournment: 11 A.M.

---

REP. JOHN BRUEGGEMAN, Chairman

---

MISTY SHEA, Secretary

JB/MS

**EXHIBIT** (jgh37aad)